

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.11.2019

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.8445 & 9674 of 2015
MP.No.1 of 2015

M/s.CavinKare Pvt.Ltd.
Registered under the provisions
of Indian Companies Act 1956
Rep.by its General Manager (Finance)
Mr.R.Prabakara Kumar ...Petitioner

--Vs--

- 1.The Deputy Commissioner of Income Tax
Company Circle 1(3)
121, Mahatma Gandhi Road,
Nungambakkam
Chennai-600 034
...1st Respondent in both W.P.No. 8445 of 2015
- 2.The Deputy Commissioner of Income Tax
Corporate Circle 1(2)
121, Mahatma Gandhi Road,
Nungambakkam
Chennai-600 034
...Sole Respondent
in WP.NO.9674/15&2ND Respondent in
WP.NO.8445/15

Prayer in WP.No.8445 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Certiorari, calling for the records of the 1st respondent in PAN No.AAACB3754B in the impugned notice u/s 148 of the Act dated 29.03.2014 and the consequent proceedings issued by the Second Respondent in Co.Cir.I(2)/200/2014-15 dated 17.03.2015 and quash the same.

Prayer in WP.No.9674 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Certiorarified Mandamus, calling for the records of the respondent in PAN No.AAACB3754B in re-assessment order issued by the respondent u/s.143(3) r.w.s. 147 of the Act dated 23.03.2015 and quash the same.

For Petitioner : Mr.R.Sivaraman
For Respondents : Mr.A.N.R.Jaya Prathap
Standing Counsel

O R D E R

These two writ petitions challenge a notice for re-assessment initiated in respect of assessment year 2008-09 as well as an order of re-assessment for the same year.

2. Since there were no interim orders granted by this Court, it appears that the order of re-assessment dated 23.03.2015 was challenged by way of statutory appeal by the petitioner and the Commissioner of Income Tax (Appeals) has passed orders in ITA No.65/17-18 on 15.12.2017.

3. Thus, both learned counsel before me would concur that nothing survives as far as these writ petitions are concerned. The writ petitions are thus dismissed as infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Commissioner of Income Tax
Company Circle 1(3)
121, Mahatma Gandhi Road,
Nungambakkam
Chennai-600 034

2.The Deputy Commissioner of Income Tax
Corporate Circle 1(2)
121, Mahatma Gandhi Road,
Nungambakkam
Chennai-600 034

+1cc to Mr.A.P.Srinivas , Advocate SR.No. 97286

W.P.No.8445 & 9674 of 2015

MP.No.1 of 2015

A.SK(24/01/2020)